

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
WEDNESDAY, MAY 21, 2003**

PRESENT: John R. Byers, Mount Vernon District  
Frank de la Fe, Hunter Mill District  
Joan M. DuBois, Dranesville District  
Janet R. Hall, Mason District  
Suzanne F. Harsel, Braddock District  
John B. Kelso, Lee District  
Ronald W. Koch, Sully District  
Ilryong Moon, Commissioner At-Large  
Linda Q. Smyth, Providence District

ABSENT: Walter L. Alcorn, Commissioner At-Large  
Peter F. Murphy, Jr., Springfield District  
Laurie Frost Wilson, Commissioner At-Large

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The meeting was called to order at 8:20 p.m. by Vice Chairman John R. Byers, in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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**COMMISSION MATTERS**

Commissioner Hall MOVED TO DEFER THE PUBLIC HEARING ON SEA-94-M-047, SAUL SUBSIDIARY I LP, TO A DATE CERTAIN OF JUNE 11, 2003.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioner Smyth not present for the vote; Commissioners Alcorn, Murphy and Wilson absent from the meeting.

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Commissioner Hall MOVED TO DEFER THE PUBLIC HEARING ON SEA-85-M-086, RADLEY AUTOMOBILES, INC., TO A DATE CERTAIN OF JUNE 26, 2003.

Commissioner de la Fe seconded the motion which carried by a vote of 7-0-1 with Commissioner Kelso abstaining; Commissioner Smyth not present for the vote; Commissioners Alcorn, Murphy and Wilson absent from the meeting.

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Commissioner de la Fe MOVED TO FURTHER DEFER DECISION ON RZ-2002-HM-041, RIDGE ROAD DEVELOPMENT, TO A DATE CERTAIN OF MAY 29, 2003.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Smyth not present for the vote; Commissioners Alcorn, Murphy and Wilson absent from the meeting.

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SEA-93-D-018-2 - THEODORE SIMPSON/SPRINGHILL SERVICE (Decision Only)

(The public hearing on this application was held on May 1, 2003. A complete verbatim transcript of the decision made is in the date file.)

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND DENIAL OF SEA-93-D-018-2.

Commissioner de la Fe seconded the motion which carried by a vote of 5-0-3 with Commissioners Hall, Harsel and Koch abstaining; Commissioner Smyth not present for the vote; Commissioners Alcorn, Murphy and Wilson absent from the meeting.

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SEA-96-Y-011 - OGLETHORP LIMITED PARTNERSHIP (Decision Only)

(The public hearing on this application was held on May 7, 2003. A complete verbatim transcript of the decision made is in the date file.)

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-96-Y-011, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 20, 2003.

Commissioner Kelso seconded the motion which carried by a vote of 7-0-1 with Commissioner Hall abstaining; Commissioner Smyth not present for the vote; Commissioners Alcorn, Murphy and Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRAIL REQUIREMENT TO PERMIT THE CONSTRUCTION OF A MAJOR PAVED TRAIL ALONG BRADDOCK ROAD ON TAX MAP PARCELS 43-5((5))N AND 43-4((1))5C IN LIEU OF THE TRAIL ALONG THE CUB RUN STREAM VALLEY.

Commissioner Kelso seconded the motion which carried by a vote of 7-0-1 with Commissioner Hall abstaining; Commissioner Smyth not present for the vote; Commissioners Alcorn, Murphy and Wilson absent from the meeting.

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Commissioner Kelso announced that the subdivision plan for Caton Woods, #0523-SD-01, had been received, reviewed and approved in accordance with the proffers associated with RZ-2000-LE-028.

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Commissioner Kelso announced his intention to defer PCA-1998-LE-048-2 and FDPA-1998-LE-048-1-2, MPW, LLC, from its currently scheduled date of May 29, 2003 to July 24, 2003.

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Commissioner Smyth reported that the Policy and Procedures Committee had met earlier this evening to discuss two items: (1) the impact of budget cuts on the development review process; and (2) methods of obtaining stormwater management information in a timely manner. She added that the next Committee meeting would take place on Wednesday, June 18, 2003 at 7:30 p.m. in the Board Conference Room to discuss proposed changes to the Area Plans Review procedures.

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#### ORDER OF THE AGENDA

Secretary Harsel set the following order for the agenda:

1. PCA-76-M-007 - 6245 LEESBURG PIKE, LLC
2. RZ-2002-HM-044 - COLUMBIA REGENCY RETAIL PARTNERS, LLC  
PCA-88-C-091-8 - COLUMBIA REGENCY RETAIL PARTNERS, LLC  
PCA-88-C-039-8 - COLUMBIA REGENCY RETAIL PARTNERS, LLC  
SEA-89-C-027-9 - COLUMBIA REGENCY RETAIL PARTNERS, LLC
3. SE-2003-MV-002 - CROSSPOINTE E&A LLC

This order was accepted without objection.

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PCA-76-M-007 - 6245 LEESBURG PIKE, LLC - Appl. to amend the proffers for RZ-76-M-007 previously approved for office use to reduce parking (enclose parking structure to permit additional office) within the approved Floor Area Ratio (FAR) of 0.67. Located on the S. side

of Leesburg Pike on approx. 3.41 ac. of land zoned C-3, CRD, HC and SC. Comp. Plan Rec: Office. Tax Map 51-3 ((1)) 30, 31; 51-3 ((13)) 5, 10 and 11. MASON DISTRICT. PUBLIC HEARING.

John Bellaschi, Esquire, with McGuire, Woods, reaffirmed the affidavit dated May 6, 2003.

Commissioner DuBois disclosed that Atlantic Realty Companies, a principal in this application, had contributed in excess of \$200 to the "Friends of Joan DuBois."

Ms. Tracy Swagler, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Mr. Bellaschi explained that this application was required to delete the reference to a specific number of parking spaces approved in 1976. He noted that the applicant's proposal was in accord with current parking regulations and had the support of the Mason District Land Use Committee and the Baileys Crossroads Revitalization Corporation. He added that an adjacent landowner had raised a concern about illegal parking and the applicant had agreed to revise signage to indicate that visitors to the subject property were not allowed to park next door. He said, however, that placement of a chain link fence as requested by the property owner would have a detrimental effect on the trees and landscaped buffer between the two properties.

Vice Chairman Byers called the only listed speaker for this application and recited the rules for public testimony.

Mr. Donald McIlvaine, representing Mark Building Associates, 6231 Leesburg Pike, said that the parking situation was intolerable and that additional signage might help, but would not solve the problem. He maintained that a fence was needed and expressed surprise that the applicant would refuse to fix a problem of its own making. (Mr. McIlvaine's statement is in the date file.)

Commissioner Hall explained the public review process that all Mason District applications followed. She added that she agreed with the applicant that increased signage would help and that placing a fence between the two properties would harm the trees in that area.

Mr. McIlvaine disagreed. He said the trees and landscaping could be replaced with new plantings after a fence was constructed.

There were no further speakers and Vice Chairman Byers called upon Mr. Bellaschi for rebuttal.

Mr. Bellaschi maintained that bilingual signage would alleviate the problem.

Commissioner Hall suggested that a sign also be prominently displayed on the front door or in the lobby informing visitors that parking illegally in the lot next door might result in their car being towed. Mr. Bellaschi agreed.

There were no further comments or questions from the Commission and Ms. Swagler had no closing staff remarks, therefore Vice Chairman Byers closed the public hearing and recognized Commissioner Hall for action on this case. (A verbatim transcript is in the date file.)

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Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA-76-M-007, SUBJECT TO PROFFERS CONSISTENT WITH THOSE DATED APRIL 10, 2003.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Alcorn, Murphy and Wilson absent from the meeting.

Commissioner Hall MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE PARKING REDUCTION OF 20 PERCENT IN ACCORDANCE WITH SECTION A7-209 OF THE ZONING ORDINANCE.

Commissioner Koch seconded the motion which carried unanimously with Commissioners Alcorn, Murphy and Wilson absent from the meeting.

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RZ-2002-HM-044 - COLUMBIA REGENCY RETAIL PARTNERS, LLC - Appl. to rezone from I-4 to C-6 to permit commercial uses with an overall Floor Area Ratio (FAR) of 0.25 and a waiver of the minimum district size requirement. Located in the S.E. quadrant of the intersection of Sunrise Valley Dr. and Fox Mill Rd. (Village Center at Dulles) on approx. 6,706 sq. ft. of land. Comp. Plan Rec: Mixed use. Tax Map 16-3: consisting of an abandoned portion of Fox Mill Rd. adjacent to Village Center at Dulles. (Concurrent with SEA-89-C-027-9, PCA-88-C-091-8 and PCA-88-C-039-8.) HUNTER MILL DISTRICT.

PCA-88-C-091-8 - COLUMBIA REGENCY RETAIL PARTNERS, LLC - Appl. to amend the proffers for RZ 88-C-091 previously approved for a shopping center with an overall Floor Area Ratio (FAR) of 0.25 to permit site modifications, including the addition of a drive-in bank. Located in the S.E. quadrant of the intersection of Centreville Rd. and Sunrise Valley Dr. on approx. 26.94 ac. of land zoned C-6. Comp. Plan Rec: Mixed use. Tax Map 16-3 ((1)) 15B pt. (Concurrent with PCA-88-C-039-8, RZ-2002-HM-044 and SEA-89-C-027-9.) HUNTER MILL DISTRICT.

PCA-88-C-039-8 - COLUMBIA REGENCY RETAIL PARTNERS, LLC - Appl. to amend the proffers for RZ-88-C-039 previously

approved for a shopping center with an overall Floor Area Ratio (FAR) of 0.25 to permit site modifications, including the addition of a drive-in bank. Located in the S.E. quadrant of the intersection of Centreville Rd. and Sunrise Valley Dr. on approx. 1.53 ac. of land zoned C-6. Comp. Plan Rec: Mixed use. Tax Map 16-3 ((1)) 15B pt. (Concurrent with PCA-88-C-091-8, RZ-2002-HM-044 and SEA-89-C-027-9.) HUNTER MILL DISTRICT.

SEA-89-C-027-9 - COLUMBIA REGENCY RETAIL PARTNERS, LLC - Appl. under Sects. 4-604, 9-505, 9-506 and 9-607 of the Zoning Ordinance to amend SE-89-C-027 previously approved for a vehicle light service establishment, commercial recreation restaurant, car wash and increase in building height to permit a drive-in bank, increase in land area, modifications of development conditions and site modifications. Located in the S.E. quadrant of the intersection of Centreville Rd. and Sunrise Valley/Fox Mill on approx. 25.45 ac. of land zoned C-6. Tax Map 16-3 ((1)) 15B pt. and an abandoned portion of Fox Mill Rd. adjacent to Village Center at Dulles. (Concurrent with RZ-2002-HM-044, PCA-88-C-091-8 and PCA-88-C-039-8.) HUNTER MILL DISTRICT. JOINT PUBLIC HEARING.

Fred Taylor, Esquire, with Bean, Kinney and Korman, reaffirmed the affidavit dated May 13, 2003. There were no disclosures by Commission members.

Ms. Kristen Shields, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

In response to questions from Commissioner Byers, Ms. Shields stated that she had reviewed the recently submitted proffers.

Commissioner de la Fe commented that the new proffers appeared to accurately reflect the agreements reached, but announced his intention to defer decision on these applications to allow the Commission time to review the new proffers.

Mr. Taylor briefly described the history of the shopping center and explained that these applications would allow the addition of a piece of abandoned road right-of-way and a bank with a drive-in window. He noted that there was a previously approved alternate use for a light vehicle service establishment on the subject property. He added that the applications had the support of the Hunter Mill Land Use Committee and that a meeting scheduled with McNair Farms representatives was poorly attended, but no objections had been expressed.

Mr. Taylor requested that new Development Condition 9 be revised to indicate that a development agreement be executed prior to the issuance of the first Non-RUP (residential use permit) rather than the issuance of the next site plan as currently worded.

Vice Chairman Byers called for speakers from the audience.

Mr. Kwok Man "Charles" Hui, 2484 Angeline Drive, Unit 303, Herndon, spoke in opposition. He said that the proposed drive-in bank stacking lane was too close to the residential area and that the trucks servicing the existing food store in the shopping center were too noisy at night.

In response to questions from Commissioner de la Fe, Mr. Hui acknowledged that the shopping center was there and that the food store was in operation when he purchased his condominium.

There were no additional speakers; therefore Vice Chairman Byers called upon Mr. Taylor for a rebuttal statement.

Mr. Taylor said he was unaware of any noise issues until tonight. He noted that the condominium units were a minimum of 150 feet from the shopping center and that no changes were proposed to the food store as part of the subject applications.

In response to questions from Commissioners Byers and Harsel, Mr. Taylor stated that refrigerated trucks serving the food store needed to keep their engines running to maintain appropriate temperatures for food storage. He added that when the food store expanded, additional screening could be provided.

In response to questions from Commissioner Harsel, Mr. Taylor pointed out the circulation pattern for the existing car wash and noted that the hours of operation were 8:00 a.m. to 7:00 p.m. He confirmed that there was no fence adjacent to the car wash stacking lane.

There were no further comments or questions from the Commission and Ms. Shields had no closing staff remarks, therefore Vice Chairman Byers closed the public hearing and recognized Commissioner de la Fe for a deferral motion. (A verbatim transcript is in the date file.)

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Commissioner de la Fe MOVED TO DEFER DECISION ON RZ-2002-HM-044, PCA-89-C-039-8, PCA-89-C-091-8 AND SEA-89-C-027-9 TO MAY 29, 2003, WITH THE RECORD REMAINING OPEN.

Commissioner Koch seconded the motion which carried unanimously with Commissioners Alcorn, Murphy and Wilson absent from the meeting.

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Secretary Harsel assumed the Chair during the next public hearing, since the case was in the Mount Vernon District.

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SE-2003-MV-002 - CROSSPOINTE (E&A), LLC - Appl. under Sect. 4-604 of the Zoning Ordinance to permit a child care center. Located at 9005 Ox Rd. on approx. 40,865 sq. ft. of land zoned C-6. Tax Map 106-2 ((1)) 9 pt. and 106-2 ((7)) 4 pt. and 5 pt. MT. VERNON DISTRICT. PUBLIC HEARING.

David Houston, Esquire, Shaw, Pittman, Potts and Towbridge, reaffirmed the affidavit dated April 10, 2003. There were no disclosures by Commission members.

Ms. Kristen Shields, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Mr. Houston stated that the subject property had been rezoned in 1991 and that the anchor tenant, Giant Food, just opened last month. He said that Mr. Charles Leopold, owner/operator of the child care center proposed by this application, and Ms. Robin Antonucci, with Wells and Associates, traffic consultant, were present tonight and available to answer any questions the Commission might have. He explained that the applicant had worked with the Lorton Federation and, at their request, rumble strips, children crossing signs, a crosswalk and other traffic calming measures had been added to the development plan. Mr. Houston concurred with the proposed development conditions.

Mr. Houston and Commissioner Byers discussed the circulation pattern and traffic calming measures proposed. Mr. Houston pointed out the planned locations for the children crossing signs.

Commissioner Harsel pointed out that Mr. Leopold's name was not on the affidavit. Mr. Houston stated that the application was being requested by Crosspointe (E&A), LLC, and that Mr. Leopold was the tenant expected at this time, but any child care provider would have to abide by the conditions of this application.

Secretary Harsel called for speakers from the audience, but received no response. Mr. Houston had no rebuttal; Ms. Shields had no closing staff comments; therefore, Secretary Harsel closed the public hearing and recognized Commissioner Byers for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE-2003-MV-002, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MAY 21, 2003.

Commissioner Kelso seconded the motion which carried unanimously with Commissioners Alcorn, Murphy and Wilson absent from the meeting.

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Vice Chairman Byers resumed the Chair and adjourned the meeting.

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The meeting was adjourned at 9:35 p.m.  
Peter F. Murphy, Jr., Chairman  
Suzanne F. Harsel, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Gloria L. Watkins

Approved on: March 31, 2005

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Linda B. Rodeffer, Clerk to the  
Fairfax County Planning Commission